

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
DIVISION OF JUDGES**

LION ELASTOMERS

and

**Case No:16-CA-190681
16-CA-203509
16-CA-225153**

**UNITED STEEL, PAPER AND FORESTRY,
RUBBER, MANUFACTURING, ENERGY,
ALLIED INDUSTRIAL AND SERVICE
WORKERS INTERNATIONAL UNION, LOCAL 228**

RESPONDENT'S MOTION FOR PERMISSION TO FILE A REPLY BRIEF

Respondent Lion Elastomers, by undersigned counsel, and pursuant to the Board's Rules and Regulations, requests permission of the Administrative Law Judge ("ALJ") to file a Reply Brief to illustrate glaring omissions and mischaracterizations in the Counsel for the General Counsel's Post-Hearing Brief. In support of its Motion, Respondent states as follows:

1. This matter was tried before Administrative Law Judge ("ALJ") Michael A. Rosas in Houston, Texas, on February 26-27, 2019.
2. Respondent, Counsel for the General Counsel, and Counsel for the Union submitted Post-Hearing Briefs on April 2, 2019.
3. The Counsel for the General Counsel's Post-Hearing Brief omits key details and mischaracterizes other facts.
4. Respondent submits that the ALJ will benefit from receiving a Reply Brief from Respondent as the ALJ considers the evidence and reaches a conclusion.
5. If the ALJ grants permission for Respondent to file a Reply Brief, Respondent submits that the Reply Brief should be filed within fourteen (14) days of the ALJ's Order

granting permission to file a Reply Brief, and Respondent's Reply Brief would be limited to ten (10) pages.

6. Respondent's counsel has conferred with Bryan Dooley, Counsel for the General Counsel, regarding the Region's position on this Motion. Mr. Dooley represented to Respondent's counsel that the Region opposes Respondent's motion.

For the foregoing reasons, Respondent respectfully requests that the ALJ grant Respondent's motion and permit the parties to file a Reply Brief in this matter.

THIS the 9th day of April, 2019.

Respectfully submitted,

s/Jaklyn Wrigley

Steven R. Cupp, Esq.

Jaklyn Wrigley, Esq.

FISHER & PHILLIPS LLP

2505 14th Street, Suite 300

Gulfport, Mississippi 39501

(228) 822-1440 - Telephone

(228) 822-1441 - Facsimile

scupp@fisherphillips.com

jwrigley@fisherphillips.com

ATTORNEYS FOR RESPONDENT

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
DIVISION OF JUDGES**

LION ELASTOMERS

and

**Case No:16-CA-190681
16-CA-203509
16-CA-225153**

**UNITED STEEL, PAPER AND FORESTRY,
RUBBER, MANUFACTURING, ENERGY,
ALLIED INDUSTRIAL AND SERVICE
WORKERS INTERNATIONAL UNION, LOCAL 228**

CERTIFICATE OF SERVICE

I hereby certify that on April 9, 2019, I e-filed the foregoing using the Board's e-filing system and immediately thereafter served it by electronic mail upon the following:

Timothy L. Watson
Bryan Dooley
National Labor Relations Board, Region 16
819 Taylor Street, Room 8A24
Fort Worth, TX 76102-6107

Sasha Shapiro, Esq.
United Steel Workers International Union
60 Blvd. of the Allies
Five Gateway Ctr, Room 807
Pittsburgh, PA 15222-1214

Rick Erpelding, Staff Rep
United Steel, Paper and Forestry, Rubber,
Manufacturing, Energy, Allied Industrial
and Service Workers International Union, Local 228
1300 Rollingbrook Drive, Suite 504
Baytown, TX 77521

s/Jaklyn Wrigley
JAKLYN WRIGLEY